

# NATURAL RESOURCES BOARD

## MINUTES

The regular meeting of the Natural Resources Board was held on Wednesday June 23, 2004 at the Southeast Regional Headquarters, Milwaukee, Wisconsin. The meeting was called to order at 8:30 a.m. All June Board Agenda business was conducted by the Full Board. The meeting adjourned at 4:39 p.m.

PRESENT: Gerald W. O'Brien, Chair  
Howard D. Poulson, Vice Chair  
Jonathan P. Ela, Secretary  
Herbert F. Behnke  
Christine Thomas  
John Welter

ABSENT: Stephen Willett

### ORDER OF BUSINESS

1. Minutes to be approved.
- 1.A. Full Board Minutes of May 26, 2004.  
**Mr. Ela MOVED, seconded by Mr. Poulson approval of the Full Board Minutes of May 2004, as presented. The motion carried unanimously by all members present. Mr. Willett was absent.**
- 1.B. Agenda for June 23, 2004.  
Mr. Hassett requested item 3.B.5 be taken first. Item 7.C. be taken right after lunch at 1:00 p.m. One addition to Secretary Matters pertaining to migratory bird treaty act.  
**Mr. Welter MOVED, Seconded by Ms. Thomas approval of agenda as presented with modification. The motion carried unanimously by all members present. Mr. Willett was absent.**
2. Ratification of acts of the Department Secretary.
- 2.A. Real estate transactions.  
**Mr. Poulson MOVED, seconded by Mr. Welter approval of the real estate transactions as presented. The motion carried unanimously by all members present. Mr. Willett was absent.**
3. Operating Committees.
- 3.A. Air, Waste and Water/Enforcement Committee.
- 3.A.1. Minutes. There were no Committee minutes for May 2004 since all agenda items were taken up during the Full Board Meeting.
- 3.A.2. Adoption of proposed rule changes to NR 208, compliance maintenance annual report required for domestic wastewater treatment works.  
**Jack Saltes**, Wastewater Engineer, Watershed Management Bureau stated the goal of compliance maintenance is preventative by promoting an owner's awareness and responsibility for wastewater treatment works needs by proactively responding to treatment plant needs, communities can work to improve operations, plan for improvements/upgrades and thus maintain compliance and avoid permit violations. The proposed major revisions are Web-based, facility-specific and pre-populated from our database, grading system, and collection systems. There is an inadvertent error in the rule. Almost all 310 collection systems are covered by a general permit but some have been issued specific, more detailed permits. Electronic Compliance Maintenance Annual Report is intended for all wastewater systems holding a Wisconsin Pollutant Discharge Elimination System permit, general or specific.  
**Mr. Ela MOVED, seconded by Mr. Welter adoption of proposed rule changes to NR 208, compliance maintenance annual report required for domestic wastewater treatment works. The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.A.3. Adoption of modifications to Board Order AM-27-01, mercury air emission rule.

**Lloyd Eagan**, Director, Air Management Bureau stated the major concern raised by the legislators was the difference between the state rules and the federal rules. There are three recommended modifications. The first is to add a new section recognizing the statutory requirements regarding the impact of subsequently adopted federal emission standard for mercury from major utilities under either section 111 or 112 of the federal Clean Air Act. The second modification is to include new subsection in the emission reduction requirements of the rule acknowledging the Department's responsibility to meet the requirement of 285.27, Wis. Stats. as affected by 2003 WI Act 118, to reconcile the rule with any federal standard regulating mercury emission from electric utilities. The third modification is to include language that provides an option for a major utility to exempt units less than 25 MW from mercury reduction requirements. Another area of concern is to include in the rule a volunteer opportunity for all type of sources to provide emission reduction credits such as in the version of the rule we took to public hearing. There are four additional technical rule changes listed in the rule package.

**Mr. Ela** stated he isn't sure why it took 11 months to get the rule going. In the ongoing negotiations with all parties there were continuing negotiations even after the green sheet was due to the Board. There is one final modification that was added afterwards in the small source emission program. The concern was concerning retrofit small facilities with the mercury reduction technologies. The proposing amendment the utilities have the option to exempt that emits less than 25 pounds of mercury annually.

**Mr. Welter** asked if there is an estimate of the cost to accomplishing these goals.

**John Heinrich**, Natural Resources Manager, Air Management Bureau stated that the economic evaluation for rule adopted by the board last June was based on an 80% reduction level. The range for a homeowner was \$18-21.

#### **Public Appearances**

**Bill Skewes**, Madison, Wisconsin Utilities Association stated they do not oppose this rule. Wisconsin Utilities Association believes this is an important rule changes. It creates consistency with other facilities across the country.

**George Meyer**, Madison, Wisconsin Wildlife Federation presented a cake to the Board thanked them for considering this rule. We wanted more restrictive rules, but we do endorse the Board adopting these rules. He handed out a letter from 470 hunting and fishing organizations across the country that urged the U.S. EPA to strengthen mercury regulations. He also distributed an advertisement that will appear in to Madison newspapers urging the U.S. EPA to strengthen mercury regulations.

**Caryl Terrell**, Madison, The Sierra Club stated we enjoy Wisconsin Lakes, but we cannot safely eat the fish caught in our waters. Everyone in this room wants to protect our families' health. Mercury pollution threatens our health, fish consumption, and tourism. We can do better. National policy can be improved. We cannot wait in Wisconsin. We should take a leadership role in this country. Sierra Club supports stronger regulations, but this rule package is a first step.

**Peter Murray**, Madison, Wisconsin Association of Lakes stated this rule is a start, but we need more stringent and rapid reductions for mercury emissions. He stated that Wisconsin should take a leadership role to reduce mercury in the U.S.

**Marc Looze**, Madison, Clean Wisconsin stated they support the mercury rule before the Board today. We could require deeper and faster mercury cuts, but we recognize we are making progress.

**Mr. Behnke MOVED, seconded by Mr. Poulson adoption of modifications to Board Order AM-27-01, mercury air emission rule.**

**Mr. Ela MOVED, seconded by Mr. Behnke amended the rule for the mercury emission from a facility owned or operated by a major utility may be exempt from the emission reduction requirements of sub. (2) or (3) if the total annual mercury emissions from all stationary sources of 25 megawatts or greater at the facility are 25 pounds or less.**

**Mr. Poulson** stated he is concerned it may cause a slow down or difficult when we team up with the federal rule.

**Mr. Ela** stated it is one of any number of elements of this rule that needs to be reviewed in light of conformity of federal law.

**The motion to include the amendment carried unanimously by all members present. Mr. Willett was absent.**

**Mr. Welter** stated the framework is important for us to have some for federal rules, but also a regional issue. Hopefully, this will allow other states in the region to move forward with their mercury emission rules.

**The motion carried unanimously by all members present. Mr. Willett was absent.**

3.A.4. Request for authorization of public hearing for changes to NR 500, regarding landfills.

**John Melby**, Policy Section Chief, Bureau of Waste management stated these proposed rules allow the potential for longer leachate collection lines in municipal solid waste (MSW) landfills, improve landfill design and construction standards, allow for leachate recirculation. It allows the Department to approve practice that may lead to quicker biodegradation (stability) of the waste in MSW landfills, thereby reducing their long-term risk. The proposed rule also asks for specific comments on provisions to add additional liquids to foster quicker biodegradation and changes in final cover and run-on of water from precipitation.

**Mr. Behnke MOVED, seconded by Mr. Ela request for authorization of public hearing for changes to NR 500, regarding landfills. The motion carried unanimously by all members present. Mr. Willett was absent.**

3.A.5. Request authorization for public hearing for Board Order FH-39-04, revising NR 320 related to Bridges and Culverts in navigable waterways.

**Marv Ellen Vollbrecht**, Section Chief, Rivers and Habitat Protection, Fisheries Management and Habitat Protection Bureau stated the purpose of this rule revision is to modify the existing rule to reflect the exemption, general permit and individual permit options provided by statute. This rule revision establishes construction, design, placement and location standards for projects to be eligible for statutory exemptions, establishes a general permit for clear span bridges and establish standards for projects that may be authorized under an individual permit.

**Mr. Welter** asked if there has been any change of people who go forward with activities without using the permitting process.

**Ms. Vollbrecht** stated she will have answer in August

**Mr. Poulson MOVED, seconded by Mr. Behnke request authorization for public hearing for Board Order FH-39-04, revising NR 320 related to Bridges and Culverts in navigable waterways. The motion carried unanimously by all members present. Mr. Willett was absent.**

3.A.6. Request authorization for public hearing for Board Order FH-42-04, revising NR 326 related to Piers, Boat Shelters and Swimming Rafts in navigable waterways.

**Ms. Vollbrecht** stated the purpose of this rule is to establish construction, design and placement standards for projects to be eligible for statutory exemptions, establish general permits, and to establish standards for projects that may be authorized under an individual permit. NR 326 defines and describes design standards for piers, wharves, boat shelters, boat lifts, boat hoists, and swimming rafts to qualify for exemptions. The rule establishes a general permit for preexisting piers that slightly exceed the exemption standards, and a general permit for permanent boat shelters. The rule establishes standards for several types of individual pier permits: solid piers, piers on rock-filled cribs, commercial and municipal marinas, piers to accommodate a disability, and piers with historic use.

**Mr. Behnke** asked how do you determine length of pier.

**Ms. Vollbrecht** stated you can go out the depth you need to establish navigation, usually 3 feet

**Mr. O'Brien** asked if this rule applies to rubber rafts and does this change that rule.

**Ms. Vollbrecht** stated no

**Mr. Ela MOVED, seconded by Mr. Welter Request authorization for public hearing for Board Order FH-42-04, revising NR 326 related to Piers, Boat Shelters and Swimming Rafts in navigable waterways. The motion carried unanimously by all members present. Mr. Willett was absent.**

3.A.7. Request authorization for public hearing for Board Order FH-45-04, creating NR 343 related to Ponds and Artificial Waterways.

**Ms. Vollbrecht** stated the purpose of this rule is to establish conditions under which an artificial water body project can be covered under a general permit, and to establish standards for projects that may be authorized under an individual permit. NR 343 recognizes artificial water bodies constructed for the purpose of meeting the performance standards under ch. NR 151 and allows such artificial water bodies to be eligible for a general permit under this chapter with several design standards. The rule establishes general permits for 3 activities: wildlife ponds, landscape ponds, and stormwater ponds. NR 343 also clarifies jurisdiction for ponds located within 500 feet of a navigable waterway, and specifies permit pre-requirements necessary to protect public health, safety, welfare, rights and interest and to protect riparian landowner's rights and property.

**Mr. Ela MOVED, seconded by Mr. Behnke request authorization for public hearing for Board Order FH-45-04, creating NR 343 related to Ponds and Artificial Waterways. The motion carried unanimously by all members present. Mr. Willett was absent.**

3.A.8. Request authorization for public hearing for Board Order FH-38-04, creating NR 345 related to Dredging in navigable waterways.

**Ms. Vollbrecht** stated the purpose of this rule is to establish construction and design standards for dredging projects to be eligible for statutory exemptions, establish general permits, and to establish standards for projects that may be authorized under an individual permit. NR 345 defines and describes construction and design standards for manual dredging activities that qualify for exemptions in all waters other than ASNRIs. NR 345 also establishes general permits for dredging activities associated with the installation of utility lines and for maintenance dredging in established drainage districts. These general permits are not allowed in ASNRIs and must follow technical standards similar to those previously used for short form permits in the Department guidance.

**Mr. Poulson** stated that in the agriculture community there has always been a problem on the agricultural drainage maintenance, whereby the Department demanded the farmer remove the spoils rather than spread the spoils. It is such a cost to dredge rather than spreading. Is there anything we can do?

**Ms. Vollbrecht** stated that has been allowed under individual permits. She will pass that along to the committee.

**Mr. Poulson** asked what the problem is. Is it viewed as a filling process?

**Ms. Vollbrecht** stated yes, we need to find a way to authorize it.

**Mr. O'Brien** asked if the emergency rules are in jeopardy

**Ms. Vollbrecht** stated possible, the Joint Committee on the Review of Administrative Rules is holding a hearing NR 1, 300, 310. We have heard if they may all be suspended or none of them will be suspended.

**Mr. Ela** asked what happens to any rule that is suspended. Will the previous rule be applicable?

**Mr. Behnke** asked what if there isn't a previously rule in affect.

**Ms. Vollbrecht** stated where there isn't a rule provision that preexists there won't be general permits. So all requests must go through individual permit process.

**Mr. Poulson MOVED, seconded by Mr. Welter Request authorization for public hearing for Board Order FH-38-04, creating NR 345 related to Dredging in navigable waterways. The motion carried unanimously by all members present. Mr. Willett was absent.**

3.A.9. INFORMATION ITEM – Air Permit Improvement Initiative (APII)

**Ms. Eagan** stated the purpose of the initiative is to develop and implement ways to improve our efficiency in environmental regulation and program implementation while meeting the environmental protection needs of our citizens. There are two objectives 1. To streamline the air permit process for both operation and construction sources and 2. To retool Wisconsin's New Source Review regulations in light of federal rule changes. The retooling effort has resulted in a rule change package, which will come before the NRB in the near future.

**Mr. Welter** asked in relation to the work groups, will you have them in all parts of the states? How will you do that with all the different interest groups?

**Ms. Eagan** stated it depends on the work groups and their location. Some will meet by conference call, in central location like Madison or Stevens Point. They will be assigned by topic: public involvement, alternative regulatory strategies, permit decisions, management changes, IT System improvements.

**Mr. Behnke** stated this looks progressive and I am glad to see it happen.

**Mr. Ela** stated what is missing is the discussion is the substantive impact on air quality, either pro or con.

**Ms. Eagan** stated the Department is developing performance measures and document environmental impacts.

**Mr. O'Brien** asked is this all a result of the notice of deficiency (NOD) from the EPA.

**Ms. Eagan** stated this was proposed before the NOD. It was also before Grow Wisconsin.

**Mr. O'Brien** asked if there is a penalty for NOD.

**Ms. Eagan** stated yes. If we don't adequately address the NOD, we could face sanctions of withdrawal of highway funds, increased offsets in the non-attainment areas, and EPA could take over the program.

**Mr. Welter** stated our program has to comply with federal air qualities. He asked if there will be any drop-offs as a result of these processes in those protections.

**Ms. Eagan** state no, EPA reviews them and have oversight over our enforcement activities.

3.A.10. INFORMATION ITEM – Overview of proposed streamlining air permit.

**Caroline Garber**, Section Chief, Environmental Analysis and Outreach, Air Management Bureau stated currently, the air permit program primarily utilizes individually negotiated construction and operation permits and, to a limited extent, exemptions and general operation permits to meet state and federal Clean Air Act requirements.

The intent in designing the proposed framework is to develop a simpler permitting process that will reduce the administrative burden for industry and the air management program and that will provide equal or better air quality protection for the citizens of Wisconsin.

**Mr. Ela** asked the difference between a registration permit and a general permit.

**Ms. Garber** stated the registration permit is based on low emission levels. A general permit is for source categories with similar operations and emissions.

**Jeffery Hanson**, Section Chief, Permits and Stationary Source Modeling, Air Management Bureau stated they are envisioning a vertical approach where a general permit will capture a source category. The registration permit is the horizontal approach.

**Mr. Ela** asked what is the 15-day response requirement.

**Mr. Hanson** stated that Act 118 it requires the Department to respond within 15 days to an application for a general or registration permit.

3.A.11. INFORMATION ITEM – Permit Primer interactive web site designed to help businesses with environmental permits.

**Laurel Sukup**, Environmental Assistance Coordinator, Cooperative Environmental Assistance Bureau stated the permit primer is an on-line tutorial that was developed to help businesses know which environmental permits they may need by prompting them through a series of questions.

**Dave Anderson**, Ruder-Ware stated this is a valuable tool for his organization and his clients. It has saved hundreds of hours of staff time. This tool has empowered Wisconsin's businesses. It helps with voluntary compliance and speeds up the process.

3.B. Land, Management Recreation and Fisheries/Wildlife Committee.

3.B.1. Minutes. There were no Committee minutes for May 2004 since all agenda items were taken up during the Full Board Meeting.

3.B.2. Adoption of 2004 Bureau of Wildlife Management Housekeeping Order.

**Kurt Thiede**, Wildlife Biologist, Wildlife Management Bureau stated a majority of these changes involve moving sections to make room for new definitions, moving definitions to the appropriate sections, and eliminating or updating cross-references. Some of the more substantive changes include: eliminating references to tagging and license language made obsolete with the automated licensing system, creating definitions for terms that are used in Ch. NR 10 that were previously undefined, such as "class B permit," "small game", aggregate bag limit", and various definitions relating to dressed and green hides and fur, clarifying that the only time of year when raccoon cannot be hunted at night is during the 9-day deer season, to allow raccoon hunters to hunt at night during extended Zone T and CWD hunts. Other changes include updating the code to allow vehicle-killed deer to be kept under certain established situations that exist in statute, liberalizing the caliber of guns that are legal for hunting small game, to allow common cartridge to be used for hunting, updating the administrative code to list those applicable rules that pertain to Sandhill Wildlife Area now that the WDATCP registers the wildlife area as a deer farm, and including the appropriate sunset dates for migratory game bird hunting at the three pilot state parks that are offering small game hunting. The Department is also concerned about feral hogs because of the environmental destruction and health risks due to disease. Under NR 12, the Department has the authority to allow individuals without written authorization from the Department to control specific animals that are causing a nuisance on their property.

**Mr. Welter** asked if that only applied to private land and he asked about public land.

**Mr. Thiede** stated it applies to landowner, leasee, or occupant. On public land, someone would still need a small game license.

**Mr. Welter** asked about the reduction of caliber. Is that a result of new calibers coming out?

**Mr. Thiede** stated yes, due to the popularity of new calibers.

**Public Appearances**

**George Meyer**, Madison, Wisconsin Wildlife Federation stated the new extended deer gun season inadvertently lost the hunting opportunity for raccoons at night during deer gun season. This rule change corrects the error and we support the passing of the rule. There is still one statutory change we would like to see. Blaze orange is still required during deer season. Raccoon hunters must wear blaze orange at night, which is irrelevant. We need to make a statutory change.

**Mr. Behnke MOVED, seconded by Mr. Welter adoption of 2004 Bureau of Wildlife Management Housekeeping Order. The motion carried unanimously by all members present. Mr. Willett was absent.**

3.B.3. Request authorization for public hearing on rules, which regulate feeding of wildlife for hunting and non-hunting purposes.

**Mr. Thiede** stated a permanent rule order is required to continue the ban on the placement of feed for deer in those areas at highest risk for CWD, as required by 2003 Wisconsin Act 240. This rule is similar to previously adopted emergency rules which prohibits bating and feeding in 25 southern Wisconsin counties at greatest risk for CWD and Bovine TB. There is a website that provides fact sheets to explain the difficulties and confusion created by the complexity of this rule. He also gave an update about urine-based scents/attractants used in deer and elk hunting.

**Ms. Thomas** stated she will vote for this item, but she is still nervous about the urine-based scents.

**Mr. Welter** stated he shares the same nervousness. We may have to come back after a year about this rule and reevaluate the urine issue.

**Mr. Ela** stated at previous discussion with staff, we were trying to figure out where the scent actually comes from and to make sure that the deer farms where the scent comes from are not contaminated with CWD. He directed the Secretary to be in contact with DATCP, who has jurisdiction where the scent comes from.

**Mr. Poulson** stated that he agrees.

**Mr. Welter** stated that there are scents that come in from out of state. DATCP may not jurisdiction.

**Mr. Ela** stated that would have to be part of the inquiry.

**Mr. Ela MOVED, seconded by Mr. Behnke to approve request authorization for public hearing on rules, which regulate feeding of wildlife for hunting and non-hunting purposes. The motion carried unanimously by all members present. Mr. Willett was absent.**

3.B.4. Request for authorization for public hearing for FH-10-04, Chap. 20 Fishing – Inland Waters; Outlying Waters, yellow perch. Consideration of proposal drafted pursuant to citizen's petition, but not recommended by Department.

**Bradley Eggold**, Fisheries Supervisor, Fisheries Management and Habitat Protection Bureau stated that recently a citizen's petition was submitted to the Department by Mr. Carlton Alt asking that the closed season for yellow perch sport fishing on Lake Michigan be shortened from 46 days to 30 days and adjusted to allow fishing during June. About 150 individuals signed the petition. The Department is required by s. 227.12, Stats., to respond to petitions meeting specified criteria. In this case although the petition is legally insufficient and is opposed by the Department, we are bringing the proposal forward for your consideration. The Department recommends dismissing the petition and reaffirming the NRB support for present yellow perch regulations.

**Mr. Welter** are perch populations consistent along the coast from Door County to Racine County. Are the spawning dates later as you travel north?

**Mr. Eggold** stated since the perch population has been in decline the last 15 years most of the perch we see now are concentrated from Sheboygan to Illinois. The population in Illinois is a little bit bigger, so their spawning times may be earlier than Milwaukee.

**Mr. Ela** asked do you know why the 1988-year class was so successful.

**Mr. Eggold** stated most theories support increased food availability that year. It was a warm spring and it was a region wide phenomenon where other species saw increased numbers that year.

**Mr. Ela** asked this year there was a good Green Bay hatch. Is that consistent across the lake?

**Mr. Eggold** stated no. He also stated that the current regulations are supported by Lake Michigan Fishing clubs, 2002 Spring Hearing vote- 4,770 supported, 608 opposed, Great Lakes Study Committee - Conservation Congress, Wisconsin Wildlife Federation, Wisconsin Federation of Great Lakes Sport Fishing Clubs, Lakeshore Fishermen Sports Club – Milwaukee.

**Mr. Ela** asked what is the life span of a yellow perch.

**Mr. Eggold** stated approximately ten years, but that's a small percentage.

**Public Appearance**

**Carlton Alt**, Milwaukee, Wisconsin Lake Michigan Yellow Perch Conservation Group stated in his 24 years of perch fishing, he has never seen an angler catch a pre-spawn female perch during the month of June. In 1995 there was a question put to the DNR, that is documented, which asked, "an earlier sport closure, (March through May or May only) would protect more spawning fish. By June, most yellow perch have spawned." Department's response: "Yes, most spawning takes place before June" from page 4 April agenda NRB March 31, 1995. The people's petition is asking to modify the sport fishing open season for yellow perch on Lake Michigan and its tributaries. Based on sound scientific information, it will have a 30-day closure. Will result in a season closure nearer to the 10-day average closure, of the other three states on Lake Michigan, and afford the Wisconsin's perch anglers an additional opportunity to enjoy fishing. The proposed rule would establish an open season from May 31-April 30 (closed from May 1 to May 30). June should not be closed.

**Mr. Welter** asked about his Wisconsin Lake Michigan Yellow Perch Conservation Group, how it started and how long it has been in existence.

**Mr. Alt** stated the group started in early March of 2002. It is a grassroots group.

**Mr. Welter** asked if they had representatives at the Conservation Congress spring hearings in 2002 to discuss this proposal.

**Mr. Alt** stated no because it wasn't a fair type of hearing.

**Mr. Behnke** stated the science by the Department presented by Mr. Eggold strongly supports the position not to move forward with this petition.

**Mr. Behnke MOVED, seconded by Mr. Poulson to dismiss the petition presented by Mr. Alt.**

**Ms. Thomas** asked why does the Department close May 1<sup>st</sup> and not April 1<sup>st</sup>.

**Mr. Eggold** stated we need to balance the resource versus anglers.

**Ms. Thomas** asked about the data comes from Green Can Reef. It seems there are lots of people fishing off shore. Are there significant numbers of perch caught off the shore as opposed to two miles off shore?

**Mr. Eggold** stated there are different spawning reefs throughout the Western side of Lake Michigan. The information that we are getting from other states is consistent with our data.

**Ms. Thomas** stated she is concerned about the perch further north, the worse the situation is for perch populations.

**Mr. Eggold** stated most of the population is south of Sheboygan.

**The motion carried unanimously by all members present. Mr. Willett was absent.**

3.B.5. INFORMATION ITEM – 2004 The Year of Wisconsin Forestry

**Mr. Hassett** presented awards to two cable television companies – Time Warner Cable and Charter Media who generously donated statewide cable television air time as media partners in the “Year of Forestry.” He also thanked Stora Enso North America for their donation of paper stock.

**Wendy McCowen**, Director, Bureau of Forestry Services explained the Year of Wisconsin Forestry highlights. Some of the sample projects are Open Woods Day, LEAF, books, Summer Library Program. More than 100,000 children will be reached through the library program this summer.

3.B.6. INFORMATION ITEM – Greater Prairie Chicken Research Results

**John Toepfer**, Society of Tympanuchus Cupido Pinnatus, stated mission of their society is to prevent the Prairie Chicken from extinction. This bird is endangered because of loss of habitat.

**Peter Dunn**, Society of Tympanuchus Cupido Pinnatus (STCP) discussed the low genetic variation that leads to poorer reproduction.

**Mr. Behnke** asked if the 250 birds that would be brought in would be hens or cocks.

**Mr. Dunn** stated they would be hens because they will all attempt to breed. Many cocks attempt to breed, but only 10% are successful.

**Mr. Behnke** asked if the Department has made a commitment to follow through with your recommendation.

**Ms. Osterndorf** stated that yes, wildlife staff is setting up a model and it should happen in 2005.

**Ms. Thomas** asked if the Department has approved doing this and it is going to go forward.

**Ms. Osterndorf** stated that the management plan is coming before the Board in September or October.

**Mr. Ela** stated that he recalls that the Society's criticism of the draft management plan was about the translocation and the number of acres and the timetable of acres of grassland acquisition.

**Mr. Toepfer** stated that there needs to be connectivity between the conservation areas.

**Mr. Ela** stated he is unclear about continuous acreage being necessary.

**Mr. Toepfer** stated one big block doesn't work. It's necessary to spread out the acreage so the birds can travel from one booming ground to another. Otherwise the birds become genetically isolated.

**Mr. Welter** asked what plans are there with wildlife groups in the proposed area.

**Mr. Toepfer** stated that Wisconsin Society of Ornithology and the STCP are involved.

**Ms. Osterndorf** added that DATCP and private land trusts are interested.

3.B.7. Mirror Lake State Park, Sauk County and Lower Wisconsin Riverway, Land Acquisition and Project Boundary Modifications, Iowa County

**Mr. Poulson MOVED, seconded by Mr. Behnke to approve the Mirror Lake State Park, Sauk County and Lower Wisconsin Riverway Land Acquisition and Project Boundary Modifications, Iowa County.**

**Mr. Poulson** asked who is the Riverland Conservancy.

**Mr. Steffes** stated they are employees of Alliant. The Riverland Conservancy has employees. They are organized as a non-profit organization.

**The motion carried unanimously by all members present. Mr. Willett was absent.**

- 3.B.8. Spread Eagle Barrons Natural Area, Land Acquisition, Florence County  
**Mr. Behnke MOVED, seconded by Ms. Thomas to approve the Spread Eagle Barrons Natural Area Land Acquisition, Florence County. The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.B.9. Brooklyn Wildlife and Story Creek Protection Areas, Easement Acquisition, Dane County  
**Mr. Poulson MOVED, seconded by Mr. Ela to approve the Brooklyn Wildlife and Story Creek Protection Areas Easement Acquisition, Dane County. The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.B.10. Kettle Moraine State Forest – Southern Unit, Land Acquisition, Waukesha County  
**Mr. Poulson MOVED, seconded by Mr. Ela to approve the Kettle Moraine State Forest – Southern Unit Land Acquisition, Waukesha County. The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.B.11. Lower Wolf River Bottoms Natural Resource Area, Land Acquisition, Shawano County  
**Mr. Behnke MOVED, seconded by Mr. Poulson to approve the Lower Wolf River Bottoms Natural Resource Area Land Acquisition, Shawano County.**  
Mr. O'Brien asked if this is all lowland.  
Mr. Steffes stated that it is a mix, about 49 acres of upland  
**The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.B.12. Whitefish Dunes State Park Land Acquisition, Door County  
**Mr. Ela MOVED, seconded by Ms. Thomas to approve Whitefish Dunes State Park Land Acquisition, Door County. The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.B.13. Goose Lake Wildlife Area, Land Acquisition, Dane County  
**Mr. Ela MOVED, seconded by Ms. Thomas to approve Goose Lake Wildlife Area Land Acquisition, Dane County. The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.B.14. Turtle-Flambeau Scenic Waters Area, Land Exchange and Project Boundary Modification, Iron County  
**Mr. Welter MOVED, seconded by Mr. Ela to approve Turtle-Flambeau Scenic Waters Area Land Exchange and Project Boundary Modification, Iron County. The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.B.15. Baraboo Hills Recreation Area Easement Acquisition – Sauk County  
**Mr. Ela MOVED, seconded by Mr. Poulson to approve Baraboo Hills Recreation Area Easement Acquisition – Sauk County. The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.B.16. Muddy Creek Wildlife Area Land Acquisition, Sale and Project Boundary Modification – Dunn County  
**Mr. Welter MOVED, seconded by Ms. Thomas to approve Muddy Creek Wildlife Area Land Acquisition, Sale and Project Boundary Modification – Dunn County.**  
Mr. Welter asked if the west shore of Elk Lake that is privately owned has structures on it.  
Mr. Steffes stated that it is submerged part of the time. We are not sure who owns it.  
**The motion carried unanimously by all members present. Mr. Willett was absent.**
- 3.B.17. Statewide Public Access, Land Acquisition, Door County  
Mr. Ela stated a few months ago he raised the issue of full stewardship dollars being used for boat launches as opposed to cost sharing. Steve Miller provided me with some background material, but it doesn't directly address those issues. The Department is spending \$80,000 to buy a parking lot. The county could do it on their own if they chose to. We need to clarify the Board policy.  
Mr. Behnke stated it's my understanding that this area doesn't have adequate access.  
Mr. Steffes stated it gets heavy use area and it's a good fishery. The other landings are maintained by resorts and can't be accessed in low waters.  
**Mr. Behnke MOVED, seconded by Mr. Welter to approve Statewide Public Access, Land Acquisition, Door County. The motion carried unanimously by all members present. Mr. Willett was absent**



3.B.18. Approval of the Harrington Beach State Park Master Plan **ADDITION TO AGENDA**

**Peter Biermeier**, trails and external relations section chief, Park and Recreation Bureau stated the master plan has three main goals: to protect and conserve natural areas in the park, create opportunity for outdoor education opportunities, opportunities for outdoor recreation. There is a need for 1000 more campsites in Wisconsin, especially along the Lake Michigan coast.

**Therese Gripentrog** stated the proposed master plan includes restoring the wetland basins, developing grassland, disabled piers, 3 miles of hiking trails, upgrading shuttle bus, interpretive center, 75 unit campground. A proposed amendment would include: an increased buffer from 300 feet to 400 feet between Cedar Beach Road and the proposed campground, construct the proposed kayak campsite a minimum of 400 feet from either north or south property boundary, and work with the neighbors, at the time of construction to determine the exact location of the proposed kayak site.

**Public Appearances**

**Jay Lauer**, Belgium, Belgium Chamber of Commerce stated that the 60 area businesses have voted unanimously to support this Master Plan. There is a public access issue. The improvement of the trails for hiking and skiing, improved fishing opportunities with barrier-free piers, development of camping with additional access to the picnic areas and the beach would be a positive economic impact on the community.

**Lila Mueller**, Belgium, Ozaukee County Tourism stated that Ozaukee County needs campsites because there are currently only six campsites in the County. In addition the county needs family vacation options. Currently, our county is not a destination location. The campsites would have a positive economic impact in our area.

**Dave Maiman**, Lake Church stated he would like to thank the people who drove down to support this master plan. We need campsites in our area. We ask that no more changes happen and the master plan gets approved as it is.

**Joan Sommer**, Fredonia, Riveredge Bird Club stated the group is in opposition of the master plan. It is one of the best birding opportunities in Ozaukee County. We are disappointed about the lack of response to the comments to the DNR in July 2002 and October 2003. We disagree with the idea of converting current park land into campsites with only the promise of a proposed plan to purchase land from willing landowners to the west of the park. The campsites and some of the proposed roads appear to impact the wetlands. We also ask that there be a plan developed to deal with invasive species in the park.

**Wayne Roper**, Belgium, representing himself stated he purchased our property in 1967 before the park was acquired by the state. We were promised by the DNR that this park would be kept a wild area. One of the things that I object to is the concentrated camping.

**King P. Coles**, Belgium, representing himself stated he supports most of the master plan, but he opposes the overnight camping. When the DNR originally purchased the park they said it would be wildlife preservation, hiking and day use. He said the human destruction from the foot travel will trample all the flowers. It inhibits the natural deer trails. He asked that the overnight camping be put on the master plan as a referendum.

**Ron Pritzlaff**, Belgium, representing himself stated he supports natural trails, access for the handicapped, fishing opportunities, and deer management. He is opposed to the campground. The park also has many rare wild flowers such as roses, trilliums, and rare ferns and wild grasses. With development of open land occurring on a massive scale all around us, the last thing the people of Wisconsin need is for government to destroy this beautiful natural setting. He asked the Board not to add camping to Harrington Beach State Park.

**Mr. Welter** asked you live on Cedar beach South on the lake shore. Has the county taken a position?

**Mr. Pritzlaff** stated no they did not, they only opposed the casino.

**Angie Tornes**, Milwaukee, National Park Service River and Trail Program stated the kayak site would be part of a water trail along the water. It is a new phenomenon in the country and these people need a place to rest.

**Mr. Ela** asked about houses on Lake Church Road and if there is an expectation of buying the houses.

**Ms. Gripentrog** stated that typically the Department typically doesn't like to acquire improvements, but sometimes we will purchase the land and then carve out the improvements and resell it.

**Ms. Thomas** stated several of the people said the landowners are not interested in selling land to DNR.

**Ms. Gripentrog** stated that's true they aren't interested in selling to the DNR.

**Mr. Behnke** asked if the DNR would pay property taxes.

**Ms. Gripentrog** stated use the Payment in lieu of taxes method which is the policy on state owned land.

**Ms. Thomas** asked about the suitability of site for waste disposal. How will you handle waste?

**Ms. Gripentrog** stated it is a mound system.

**Mr. Poulson** asked about the statement about a weed problem. We haven't been the best neighbors for keeping the invasive species down.

**Ms. Gripentrog** stated the problem where most of the invasive species is east of Sauk Trail Road. Dames Rocket and Garlic Mustard is being removed. Garlic mustard is a problem in the park, but we are removing satellite patches and looking at ways to control infested area.

**Mr. O'Brien** asked what kind of land is the proposed campground site

**Ms. Gripentrog** stated it is a mixture of trees and grassland.

**Mr. Behnke MOVED, seconded by Mr. Ela to approve the Harrington Beach State Park Master Plan.**

**Ms. Thomas** asked when the state acquired the land they promised it would be a natural area. Is there historical data to support that?

**Ms. Gripentrog** stated that the Southeast Planning Commission held public hearings in the 1960s. I have seen the transcripts and there are no promises made.

**Ms. Thomas** asked what did the Board Members who visited this site see.

**Mr. Ela** stated he has seen the park and where the campground is being built seems to be mature farmland.

**Mr. Behnke** stated he was impressed with the design of the park. The pluses outweigh the minuses. The buffer is sufficient and you wouldn't even know the campground would be there unless you look for it.

**The motion carried unanimously by all members present. Mr. Willett was absent.**

3.B.19. **INFORMATION ITEM – Pine River and Melancthon Creek Trout Regulations** **ADDITION TO AGENDA**

**Steve Hewett** stated they were able to get some updated data from Pine River and Melancthon Creek. We had a public hearing last week. The biologists presented the information they had collected. They presented a wide variety of options. We will put forth a pink sheet next week. There will be a green sheet in September for public hearing and then in December we will request adoption.

**Mr. Behnke** stated he would like to follow a normal orderly procedure to include public input. What was the awareness of the people who are complaining about the regulation changes?

**Mr. Hewett** stated we put the information out to the public in a variety of sources.

**Mr. Behnke** asked if the Department sees other streams coming in asking for special consideration.

**Mr. Hewett** stated there is a potential for that and we don't want to encourage that. The Department is looking at what they can do make sure they don't continue to have this situation in other areas of the state.

**Mr. Welter** asked assuming the Bureau of Fisheries and Habitat Management is preparing in another two years look at trout regulations statewide.

**Mr. Hewett** stated that the trout regulations are reviewed every six years. Right now that would be in 3-4 years.

**Mr. Welter** stated that in other parts of the state the fisheries biologist would send out a press release proposing the fish regulation changes. Was that procedure recommended to be followed statewide.

**Mr. Hewett** stated that was the Department's expectation that the local fisheries biologists would be getting that information out to the public and once the rule revisions get to the central office, it's already been reviewed at the regional level.

**Mr. Welter** stated that some of the regulations hadn't been changed since 1982. There has been a lot of things that have come up since then.

**Mr. Behnke** asked the Department to take a broader look at trout regulations in Southwest Wisconsin to prevent other groups to ask for special consideration.

**Mr. Welter** stated he would like a copy of the survey data and the comments from the public hearing.

**Ms. Thomas** asked if we are backing out of our commitment to these people.

**Mr. Behnke** stated it wasn't a commitment, but now we know it's a broader problem. Rather than taking it stream by stream, it's better to look at the entire region.

**Mr. Hewett** stated the Department will follow through with the region to see if it's necessary in developing a broader regulation change. Before we come back to the Board in September we will work with the region to determine if we need to work with this issue more broadly. Otherwise, we will come back to the Board in September for a public hearing and then December for an adoption.

**Terry Muhlbauer** stated that special regulations have driven many trout anglers away from trout fishing. Catch and release is not a no-kill sport. 5-10% of the released trout will die. He thanked the Board for the time they have taken on this issue. This is very significant to the people of Southwest Wisconsin and we appreciate your time.

**Mr. Behnke** asked if he would have objections to looking at a broader range rather than your individual streams.

**Mr. Muhlbauer** stated he would like the Board to proceed with these two streams because there has been a lot of effort put by many people.

3.B.20 **Adoption of Emergency Rule Order FH-49-04 (E), commercial fishing with trap nets during summer months in Lake Michigan off Manitowoc/Two Rivers.** **ADDITION TO AGENDA**

**Mike Staggs**, Director, Bureau of Fisheries and Habitat stated that the Department is presenting an emergency rule requesting a change in the new boundaries in an area in which limited trap netting is allowed from June 28-Labor

Day near Manitowoc/Two Rivers. The Department is responding to a specific request from the Joint Committee for Review of Administrative Rules (JCRAR) Senate Co-Chair Leibham and Assembly Co-Chair Grothman. Trap nets are a fixed obstruction. The Department has been trying to encourage use of trap nets because it's a live net. JCRAR felt it is important to act on now because of the June 28 deadline. The issue is a user conflict issue more than a safety issue. The Department is pleased that the commercial and sport fishermen came to an agreement on this issue. The Department does not recommend we reopen this debate. We feel this is a good long-term solution.

**Mr. Behnke** asked how much of an emergency this is. This is a contentious issue that was solved in May 2003. What is the justification for doing that and how will moving that trap net area north how will it affect those commercial fishermen? A commercial fisherman contacted me and he stated these fish move and we have to have room to follow the fish.

**Mr. Staggs** stated this is the first season for the summer netting since this rule went into affect. What's changed is unlike Sheboygan where they agreed, in Manitowoc and Two Rivers they were trying to stop trap netting all together. What else changed was that the Board said there would be a season. This is a better area than what the Department chose.

**Mr. Behnke** asked how will this not open up the controversy.

**Mr. Staggs** stated that is a better question for the public appearances. It's not our intent to bring this back in front of you.

**Mr. Ela** stated to structure the hearing so it's only about the location issue and nothing else.

**Louis Kowieski**, West Allis, Great Lakes Sports Fishing Federation stated this has been the most contentious issue I have dealt with. The issue was the loss of sportsmen tackle due to the nets. We think this new location can work because the new zone has moved north. He urges the Board to pass the emergency rule.

**Chuck Weir**, Manitowoc, Great Lakes Sports Fishing Federation stated we have to give this rule a chance to work. That is what we are asking the Board to do today.

**Mr. Ela MOVED, seconded by Ms. Thomas to approve the adoption of Emergency Rule Order FH-49-04 (E), commercial fishing with trap nets during summer months in Lake Michigan off Manitowoc/Two Rivers.**

**Mr. Behnke** stated he doubts this is a quality emergency rule. It doesn't fit into a true emergency rule. Whether we pass it now or let it go a year, he doesn't think it will make a difference. He won't oppose it but he questions the emergency of it.

**Mr. O'Brien** asked when the emergency rule expires what do we back to.

**Mr. Flaherty** stated this emergency rule will be in affect through this summer. The Department would go back to the permanent rule.

**Ms. Thomas** stated that no one has appeared on behalf of the commercial fishermen. Will the Department tell us that we won't hear from the commercial fishermen?

**Mr. Staggs** stated that they will continue to contact the Board, but he believes they agree with the rule.

**Mr. O'Brien** stated we could defer it to a conference call next week if we want to wait to receive confirmation from the commercial fishermen.

**Mr. Behnke** stated we should believe what the people say. He is reluctant because we are acting on sketchy information that has come to us through word of mouth and no prove that it exists.

**Mr. Poulson** stated he if he receives any telephone calls he will refer them to the senators who negotiated the deal.

**The motion carried 5-1. Mr. Behnke voted no. Mr. Willett was absent.**

4. Committee of the Whole.

4.A. Citizen Participation (1:00 p.m.)

**George Meyer**, Madison, Wisconsin Wildlife Federation (WWF) recognized the Department staff who worked hard to pull together the Adoption of Emergency Rule, Trap Nets.

He stated the NRB is probably aware that the Legislature's Joint Committee for Review of Administrative Rules (JCRAR) has scheduled a meeting tomorrow in Minocqua, Wisconsin to review and potentially suspend several of the rule chapters that this Board adopted pursuant to the legislative direction of Act 118, Laws of 2003. Of particular concern to the WWF is JCRAR's proposal to suspend certain provisions of Chapter NR 1, specifically related to areas of special natural resource interest, public rights features, and priority navigable waters. The WWF requests that, if JCRAR suspends these sections, the NRB convene at its earliest practical opportunity and rescind Chapter 341 relating to grading on the banks of navigable waterways and request the parties that negotiated the grading agreement reconvene and make further recommendations for the adoption of general permits for grading that will provide regulatory streamlining while still protecting fish and wildlife habitat, water quality and natural scenic beauty.

**Mr. Ela** stated that Mr. Meyer was part of an emergency rule to hammer out negotiations. Who were the other parties to that?

**Mr. Meyer** stated Jerry Dechane, Paul Kent, Steve Henneger, and George Meyer.

**Mr. Ela** asked if those people represented other groups who would also be interested in the negotiations.

**Mr. Meyer** stated yes, that was the intent

**Mr. Ela** asked if it is your understanding that the agreement was cleared by relevant members of the Wisconsin legislator including the majority leader and the speaker and the two chairs of the resource committees.

**Mr. Meyer** stated that's my understanding

**Mr. Ela** asked if any other legislators could have voiced their concerns at that time.

**Mr. Meyer** stated yes and he understands that members of the joint committee were involved in that discussion.

**Mr. Ela** stated that this Board deferred decisions on those rules until we had support from the legislative leadership.

4.B. Retirement Resolutions.

4.B.1. Marilyn Davis

4.B.2. John W. Glennon

4.B.3. Kathryn Curtner

4.B.4. Michael Spors

4.B.5. Dennis Kirschbaum

4.B.6. Jimmy S. Christenson

4.B.7. William A. Lazarz

4.B.8. Richard W. Henneger

4.B.9. Thomas N. Thoresen

4.B.10. Janice Goss

**Ms. Thomas MOVED, seconded by Mr. Welter to approve the ten retirement resolutions. The motion carried unanimously by all members present. Mr. Willett was absent.**

5. Board Members' Matters.

**Mr. Behnke** stated that the Board adopted a resolution to request a zone change variance from the normal procedure on the waterfowl hunting. Secretary Hassett made the formal request to have that done. On Monday of this week, I had a conference call with Tom Hauge and Robyn Thorson, U.S. Fish and Wildlife Service Regional Representative. She is on the regulations committee who will be voting on this. She asked if we were going to continue with these requests. The Department stated that this was an unusual situation. I feel good about it, but I don't know if they will do it Washington. We have done all we can. If they turn us down, we tried.

The second item is the set up of our agenda. We are duty bound to act on action items. He would like to see all action items first. The citizens who come don't know when to come because information items take a long time. He asked the Chairman to consider revision of format of agenda to address action items first and have another category called information items.

**Mr. O'Brien** stated the Board developed a subcommittee to handle this issue. Mr. Behnke, Mr. Welter (subcommittee chair) and himself will represent the Board and Deputy Secretary Smith and Mr. Prorise will represent the Department. We will handle it with a telephone conference call.

**Mr. Poulson** would like a written update on progress on the acquisition goals as well as the management goals of the Western Prairie Habitat Restoration Area and the Glacial Habitat Restoration Area.

**Ms. Thomas** stated the information items are taking too long.

**Mr. Hassett** stated the staff has been told that an estimated time amount of 20 minutes includes the questions. It's difficult to predict how many questions there will be.

**Mr. Behnke** stated the presenter would be treated more fairly if we didn't interrupt them and save questions until the end.

**Mr. O'Brien** stated tour of MMSD and discussion. He suggests the Department to keep feet to fire. We have a major role as the DNR to preserve the natural resource of Lake Michigan.

6. Special Committees' Reports

None.

7. Department Secretary's Matters

7.A. Adoption of Rule 02-046 relating to DNR procedures for administrative hearings.

**Pete Flaherty**, DNR Attorney stated the Board originally adopted LS-5-02 in March 2002. The Assembly Natural Resource Committee held a hearing on the rule and tabled it upon the request of the Chairman of the Committee who had concerns over the provision that imposed limitation on discovery. A series of discussions ensued between

the Department and the Chairman. In September 2003, Committee Chairman State Representative Duane Johnsrud send a letter requesting the limitations on discovery is removed. The Department recommends that the Board accept the request and remove the limitations on discovery that had been added to the order.

**Ms. Thomas MOVED, Seconded by Mr. Poulson to adopt Rule 02-046 relating to DNR procedures for administrative hearings. The motion carried unanimously all members present. Mr. Willett was absent.**

- 7.B. DONATION – Ducks Unlimited will donate up \$6,153.00 for wetland restoration work in Chippewa, Polk, Barron, Marathon, Burnett, Outagamie, Brown and Eau Claire Counties.

**Mr. Welter MOVED, Seconded by Mr. Poulson to accept a donation from Ducks Unlimited will donate up \$6,153.00 for wetland restoration work in Chippewa, Polk, Barron, Marathon, Burnett, Outagamie, Brown and Eau Claire Counties. The motion carried unanimously all members present. Mr. Willett was absent.**

- 7.C. 2004 Brogan Award

**Secretary Hassett** presented the External Brogan Award to Cardinal Environmental Inc., Sheboygan. Cardinal was nominated in recognition of the large contribution this small company has made to local, regional, state and national environmental effort. Cardinal employees volunteer their time and talents to help train others in how to protect human health and the environment. They have made their laboratory available to classes so students can directly experience environmental testing. The company has actively promoted and helped plan the citywide and countywide “Clean Sweep” programs to properly manage household hazardous wastes. Through all of these actions, Cardinal Environmental has demonstrated the commitment of its management and staff to improve the environment and have a positive benefit to the local environment and the state of Wisconsin. The Internal Brogan Award was presented to Linda Meyer, DNR staff attorney. Linda has continually provided wise counsel and sound advice in a broad array of environmental programs, ranging from the Remediation and Redevelopment program in the implementation of the federal Superfund program, drinking water and solid waste, hazardous substance spills, and floodplain and shoreland zoning in the implementation of the shoreland protection program. Throughout her career, she has earned the trust and utmost respect from everyone she works with. Linda is highly productive and carries an extremely heavy workload while mentoring three other department attorneys. She is never one to seek credit for any accomplishments, always looking to spread praise and accolades to those around her.

- 7.D. DONATION – Lunda Construction Company will donate steel sheeting valued at \$8,140 for Teal Flowage Improvement Project, ADDITION TO AGENDA

**Mr. Ela MOVED, Seconded by Mr. Welter to accept a donation from Lunda Construction Company will donate steel sheeting valued at \$8,140 for Teal Flowage Improvement. The motion carried unanimously all members present. Mr. Willett was absent.**

Migratory Bird Resolution

**Mr. Hassett** stated he wrote a memorandum to the Board dated June 16, 2004 referencing request of Jonathan Ela to deal with Mute Swans. The resolution reads as follows: Be it resolved that the Wisconsin Natural Resources Board supports the exemption of non-native species in North American from the Federal Migratory Bird Treaty Act. Non-native species threaten the health, populations and sustainability of species native to the U.S. and North America. The Board supports the position of the International Association of Fish and Wildlife Agencies.

**Mr. Ela** stated that he has some substitute language: because non-native species in North America threaten the health, populations, and sustainability of native species, the Wisconsin Natural Resources Board supports the exemption on non-native species from the Federal Migratory Bird Treaty Act. The Natural Resources Board urges the Congress to enact H.R. 4114, which establishes this exemption, and requests that members of the Wisconsin delegation support this bill through co-sponsorship and other means.

**Mr. Ela MOVED, Seconded by Ms. Thomas to accept the substitute language for the Migratory Bird Act Resolution. The motion carried unanimously all members present. Mr. Willett was absent.**

The meeting adjourned at 4:39 p.m.